



RECEIVED
DEC 27 2002
TC 1700

BOX RCE
PATENT
0950-0110P

RCE
\$ 1771
#16
12/31/02

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Fumihiko YAMAGUCHI et al. Conf.: 5516
Appl. No.: 09/368,429 ✓ Group: 1771 ✓
Filed: August 5, 1999 ✓ Examiner: Befumo, J. ✓
For: CARPET, STAINPROOFING AGENT FOR CARPET
AND METHOD FOR TREATING THE CARPET

REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114

BOX RCE
Assistant Commissioner for Patents December 24, 2002
Washington, DC 20231

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

- (1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed; e.g. final rejection, Ex Parte Quayle; or notice of allowability

☒ This Request for Continued Examination is being filed prior to the earliest of:

- (1) Payment of the issue fee, unless a petition under § 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☐ The enclosed document is being transmitted via facsimile.

12/27/2002 AWONDAF1 00000009 09368429

01 FC:1801 740.00 DP
02 FC:1252 290.00 DP

☒ **Submission Required under 37 C.F.R. § 1.114:**

Enter as part of the present submission:

- ☒ An After Final Amendment previously filed on November 26, 2002, under 37 C.F.R. § 1.116 but unentered, in the present application.
- ☐ Arguments in the Appeal Brief or Reply Brief previously filed on .
- ☒ A Reply Under Rule 1.111, attached hereto. Claim fee(s) are calculated as set forth below:

	TOTAL NUMBER OF CLAIMS PREVIOUSLY PAID FOR	TOTAL NUMBER OF CLAIMS BEING FILED HEREWITH	NUMBER EXTRA	Large Entity		Small Entity	
				Rate	Fee	Rate	Fee
Total Claims	20	13		X 18	\$	X 9	\$
Independent Claims	3	2		X 84	\$	X 42	\$
TOTAL CLAIM FEE(S)						\$0.00	

- ☐ An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.

☐ Other:

☐ **Miscellaneous**

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of () months. (Period of suspension shall not exceed 3 months.)

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

- ☐ \$370.00 - small entity
- ☒ \$740.00 - large entity

- ☐ The applicant(s) hereby petition(s) for an extension of () month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:
- ☐ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$0.00 is required for the full period of the above-requested extension of time.
- ☒ An extension of one (1) month(s) was previously requested and paid for on November 26, 2002 in the instant application. Thus, a fee of \$290.00 is required to obtain an additional two (2) month(s) extension.
- ☐ The fee of \$130.00 under 37 C.F.R. § 1.17(i) for suspension of action is enclosed.
- ☒ Enclosed is(are) check(s) in the total amount of \$740.00 and \$290.00 for the applicable filing fee, additional claims fee, suspension fee, and/or extension fees.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

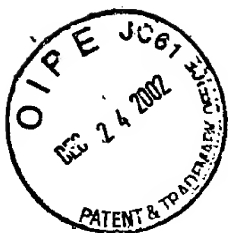
By mtj Well #36,623
Andrew D. Meikle, #32,868

BS
ADM/TBS/jeb
0950-0110P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments

(Rev. 04/05/02)



PATENT
0950-01102

#17/PMST
12/31/02

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Fumihiko YAMAGUCHI et al. Conf.: 5516
Appl. No.: 09/368,429 Group: 1771
Filed: August 5, 1999 Examiner: BEFUMO, J.
For: CARPET, STAINPROOFING AGENT FOR CARPET
AND METHOD FOR TREATING THE CARPET

REPLY UNDER 37 C.F.R. §§ 1.111 and 1.114

Assistant Commissioner for Patents
Washington, DC 20231

December 24, 2002

Sir:

In response to the Office Action of July 26, 2002 and the Advisory Action of December 10, 2002, the following amendments and remarks are submitted in connection with the above-identified application.

AMENDMENTS

IN THE CLAIMS:

Please amend the claims as follows:

1. (Three times Amended) A carpet comprising a stainproof-treated textile, wherein the carpet has a stainproof ratio defined below of at least 30 %:

Stainproof ratio (%) = $100 \times (\Delta E_N - \Delta E_{Tn}) / E_N$, wherein